

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

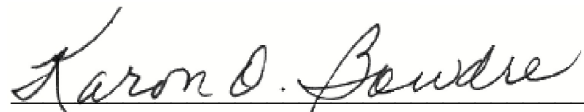
GERALD L. HOGAN,)	
)	
Petitioner,)	
)	
v.)	CV 06-BE-1632-S
)	
RALPH HOOKS, WARDEN; ATTORNEY)	
GENERAL FOR THE STATE OF ALABAMA,)	
ET AL,)	
)	
Respondents.)	

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on February 6, 2009, recommending that the petition for writ of habeas corpus be dismissed as procedurally barred due to petitioner's failure to exhaust state remedies. The parties were allowed an opportunity to file objections. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, the court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DISMISSED. A Final Judgment will be entered.

As to the foregoing, DONE and ORDERED this 3rd day of March 2009.


KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE